

## Message Text

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ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

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R 190515Z AUG 74

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC 3924

INFO AMEMBASSY SINGAPORE

AMCONSUL MEDAN

AMCONSUL SURABAYA

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E.O. 11652: N/A

TAGS: PINS PINT ID

SUBJ: HARIMAN SIREGAR TRIAL: FOURTH SESSION

REF: A. JAKARTA 9992 B. JAKARTA 9957

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BEGIN SUMMARY: IN TWO-HOUR SESSION AUGUST 14 PRESIDING  
JUDGE ANNOUNCED REJECTION OF DEFENSE MOTION TO DISMISS  
CHARGES UNDER 1963 SUBVERSION LAW, AND COMMENCED  
QUESTIONING OF SIREGAR. FURTHER SESSIONS POSTPONED TO  
AUGUST 19 DUE TO NATIONAL DAY HOLIDAY. PUBLIC ATTENDANCE  
AT TRIAL, RELIABLY REPORTED TO INCLUDE STUDENT DELEGATIONS  
FROM OUTSIDE JAKARTA, CONTINUED HIGH. SECURITY AUTHORITIES  
CONTINUE TO PERMIT VOCAL REACTIONS BY CROWD TO PROCEEDINGS,  
BUT MAINTAINING TIGHT CONTROL AND PROHIBITION OF DISPLAY  
OF SIGN OR DISTRIBUTION OF LITERATURE AMONG CROWD.  
REPORT BASED ON JAKARTA PRESS ACCOUNTS EXCEPT AS OTHER-  
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1. AT START OF FOURTH SESSION OF SIREGAR TRIAL AUGUST  
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14, PRESIDING JUDGE SIBURIAN DELIVERED HIS OPINION ON

DEFENSE COUNSEL'S MOTION THAT CHARGES AGAINST SIREGAR BASED ON 1963 SECURITY DECREE BE DISMISSED ON GROUNDS OF INVALIDITY OF DECREE. JUDGE REJECTED DEFENSE MOTION, BASING HIS OPINION ON 1966 SUPREME DELIBERATIVE COUNCIL (MPRS) DECISION THAT SECURITY LAWS SHOULD BE REVIEWED AND EITHER REAFFIRMED OR WITHDRAWN, WHICH DECISION JUDGE SAID PROVIDED NEW LEGISLATIVE BASIS FOR 1963 DECREE WHICH WAS SUBSEQUENTLY REAFFIRMED AS REQUIRED IN 1969. JUDGE ALSO ARGUED THAT UNTIL ANY NEW LAW PREPARED, OLD LAW STANDS, THUS REJECTING DEFENSE POSITION (REF B) THAT FAILURE TO PREPARE NEW LAW IN ACCORDANCE WITH 1969 LEGISLATIVE INJUNCTION CASTS DOUBT ON CONTINUING VALIDITY OF OLD LAW.

2. JUDGE REJECTED DEFENSE FOLLOW-UP REQUEST THAT TRIAL BE POSTPONED IN ORDER TO ALLOW DEFENSE TO APPEAL JUDGE'S RULING TO HIGHER COURTS. JUDGE STATED THAT PROCEDURAL APPEAL COULD BE FILED FOLLOWING TRIAL. JUDGE ALSO "REGRETFULLY" REJECTED DEFENSE REQUEST THAT SIREGAR BE RELEASED FROM DETENTION DURING COURSE OF TRIAL, BUT RECOMMENDED TO PROSECUTOR THAT SIREGAR BE GIVEN OPPORTUNITY TO VISIT HIS AILING WIFE AND FATHER.

3. JUDGE THEN PROCEEDED WITH INTERROGATION OF SIREGAR ON BACKGROUND TO JANUARY 15 EVENTS. JUDGE'S INTERROGATION FOCUSED PRIMARILY ON STRUCTURE AND FUNCTION OF UNIVERSITY OF INDONESIA STUDENT COUNCIL (DMUI), OF WHICH SIREGAR CHAIRMAN. IN RESPONSE TO JUDGE'S REQUEST THAT HE PRODUCE COPY OF WORKING PROGRAM OF DMUI, SIREGAR STATED THAT THIS AND OTHER DOCUMENTATION HAD BEEN CONFISCATED AND ENTERED PROTEST THAT HE HAD NEVER BEEN OFFICIALLY INFORMED AS TO WHAT DOCUMENTS HAD BEEN CONFISCATED.

4. ASSISTANT JUDGES POSED NO QUESTIONS. PROSECUTOR ASKED SERIES OF QUESTIONS BEARING ON NATURE OF DISCUSSIONS WITHIN STUDENT COUNCIL AND WHETHER TYPES OF DISCUSSIONS ENGAGED IN BY SIREGAR WERE "TRADITIONAL" OR "ROUTINE" FOR COUNCIL, AS WELL AS DECISION-MAKING PROCEDURES WITHIN COUNCIL. EXCHANGE WITH PROSECUTOR GENERALLY INCONCLUSIVE, THOUGH SIREGAR DID ACKNOWLEDGE THAT HE COULD DECIDE FOR LIMITED OFFICIAL USE

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COUNCIL ON QUESTIONS WHERE THERE WAS DISAGREEMENT.

5. SIREGAR RESPONSES TO QUESTIONS FROM DEFENSE LAWYERS BROUGHT OUT FOLLOWING POINTS: A) SIGNED SIREGAR STATEMENT TAKEN BY KOPKAMTIB AFTER FIRST INTERROGATIONS NOT INCLUDED IN DOSSIER SUBMITTED TO COURT, B) PRIOR TO NOVEMBER 1973, THERE HAD BEEN NO PROHIBITION ON STUDENT DISCUSSION AND LECTURE ACTIVITIES, AND C) IN STUDENT

DISCUSSIONS FRANKNESS AND EVEN COARSENESS OF LANGUAGE WAS COMMON.

6. JUDGE ADJOURNED TRIAL FOLLOWING PERLIMINARY QUESTIONING, SAYING HE WAS NOT FEELING WELL. TRIAL WILL BE CONTINUED AUGUST 19 FOLLOWING NATIONAL DAY HOLIDAY.

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7. ATTENDANCE AT TRIAL CONTINUED HIGH, AND MOSTLY YOUNG CROWD AROUND COURTROOM CONTINUED TO EXPRESS VOCAL REACTION TO PROCEEDINGS. RELIABLE REPORTS CONFIRM CROWD SIZE AS ABOUT 2000, AND INDICATE THAT DELEGATIONS OF STUDENTS REPRESENTING BANDUNG TECHNICAL INSTITUTE, GADJAH MADA UNIVERSITY IN JOGJAKARTA AND SURABAYA STUDENTS HAVE BEEN PRESENT AT TRIAL SESSIONS. ALTHOUGH SECURITY FORCES HAVE MADE NO EFFORT TO STOP MEMBERS OF CROWD FROM EXPRESSING VOCAL SUPPORT FOR SIREGAR, THREE YOUTHS REPORTEDLY APPREHENDED AND REMOVED FROM CROWD AT AUGUST 13 SESSION FOR MAKING DEROGATORY STATEMENTS ABOUT JUDICIAL PROCESS.. SECURITY FORCES ALSO SEARCHING EVERYONE APPROACHING COURT BUILDING TO ENSURE THAT NO SIGNS OR LITERATURE ON TRIAL ARE BROUGHT INTO AREA. PUSHING AND SHOVING INCIDENTS CONTINUING TO OCCUR AS STUDENTS ATTEMPT TO GET CLOSE TO SIREGAR WHEN HE ENTERS AND LEAVES COURT, BUT OTHERWISE SECURITY FORCES HAVE MAINTAINED TIGHT CONTROL AND SOURCES INDICATE CHANCE OF SERIOUS DISRUPTIVE ACTIONS BY CROWD IS VERY SLIGHT. END LIMITED OFFICIAL USE

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8. ATTORNEY GENERAL ALI SAID TOLD PRESS AUGUST 14 THAT BOOK ON JANUARY 15 EVENTS PROTESTED BY DEFENSE COUNSEL LIMITED OFFICIAL USE

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(REF A) HAS BEEN REFERRED TO POLITICAL DIRECTORATE OF ATTORNEY GENERAL'S OFFICE FOR EXAMINATION AS TO WHETHER IT MIGHT INFLUENCE TRIAL. SAID INDICATED CIRCULATION OF BOOK MIGHT BE BANNED DURING TRIAL IF FOUND PREJUDICIAL, AND SAID HE HAD ORDERED THAT BOOK NOT BE PROMOTED IN INTERIM IN ANY WAY THAT WOULD INFLUENCE TRIAL. BOOK IN MEANTIME CONTINUES TO BE SOLD IN VARIOUS BOOKSTORES, ALTHOUGH IN VERY LIMITED QUANTITIES REPORTEDLY AT REQUEST OF AUTHOR MADE SHORTLY AFTER DEFENSE LODGED PROTEST.

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9. PRESS COVERAGE OF TRIAL CONTINUES MODERATE, WITH "KOMPAS" STILL PROVIDING ALMOST VERBATIM TRANSCRIPT AND

AFTERNOON DAILY "SINAR HARAPAN" AND MORNING NATIONALIST DAILY "MERDEKA" ALSO CARRYING FAIRLY FULL REPORTS. OTHER PAPERS AS WELL AS OFFICIAL PRESS SERVICE "ANTARA" CARRYING ONLY ABBREVIATED SUMMARIES OF PROCEEDINGS. ACCORDING TO SENIOR REPORTER FOR "SINAR HARAPAN," HIS PAPER HAS BEEN TOLD IT MAY CARRY EXTENSIVE COVERAGE BUT WARNED IT SHOULD BE EXTREMELY CAREFUL IN PHRASING REPORTS. SOURCE STATES THAT OTHER PAPERS WITH READERSHIP AMONG LOWER EDUCATION GROUPS ARE BEING TOLD THEY MAY CARRY ONLY VERY ABBREVIATED REPORTS ON TRIAL.

10. ABOVE PRESS SOURCE COMMENTED TO EMBOFF THAT TRIAL PROCESS BEING VIEWED BY MANY IN PRESS AS ELABORATE SHADOW PLAY IN WHICH REAL ACTORS AND ISSUES LIKELY TO REMAIN HIDDEN FOR SOME TIME. SOURCE PRAISED ALI SAID FOR WHAT HE DESCRIBED AS COURAGEOUS ROLE IN MAKING FIRST TRIAL THAT OF SIREGAR, WHO WAS LONG CONSIDERED AN ALI MURTOPO OPERATIVE. SOURCE INDICATED IT WIDELY ASSUMED THAT COURT IS TAKING ORDERS FROM HIGHER-UPS ON HANDLING OF TRIAL, BUT THAT IT NOT YET CLEAR TO WHAT EXTENT ORDERS ARE AIMED AT CONVICTING SIREGAR AND TO WHAT EXTENT OTHER PURPOSES RELATED TO GOI POLITICAL IN-FIGHTING ALSO INVOLVED. NEWSOM

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## Message Attributes

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